IN THE CLAIMS

Please amend the claims as follows:

1. (Currently Amended) A non-aqueous electrolyte cell comprising:

a positive electrode ~~containing~~ comprising a lithium-transition metal compound oxide as a positive electrode active material, said positive electrode comprising a material resulting from a mixture of manganese starting material, γ-MnO_2, a lithium starting material, Li_2CO_3, and an aluminum starting material $Al(OH)_3$ to form a powder mixture heated in air at a temperature rising rate of 10°C/min to 1000°C;

a negative electrode containing a carbon compound or metal lithium as a negative electrode active material; and

a non-aqueous electrolyte interposed between said positive and negative electrodes; wherein

said lithium-transition metal compound oxide is represented by the general formula $Li_xMn_{1-y}Al_yO_2$ where $0.94 \leq x \leq 0.96$ and $0.06 \leq y \leq 0.25$;

wherein said electrolyte

is dissolved in a non-aqueous solvent and exists as a non-aqueous electrolyte and

is selected from the group consisting of $LiClO_4$, $LiAsF_6$, $LiPF_6$, $LiBF_4$, $LiB(C_6H_5)_4$, CH_3SO_3Li, CF_3SO_3Li, LiC1 and LiBr; and

wherein said solvent is selected from the group consisting of propylene carbonate, ethylene carbonate, dimethyl carbonate, 1,2-dimethoxyethane, 1,2-diethoxyethane, γ-butyrolactone, 2-methyl tetrahydrofuran, 1, 3-dioxolane, 4-methyl-1, 3-dioxolan, 4-methyl-1, 3-dioxolan, diethyl ether, sulforane, methyl supforane, acetonitrile, propionitrile, anisole, acetic acid ester, lactic acid ester and propionic acid ester.

2. (Original) The non-aqueous electrolyte cell according to claim 1 wherein the lithium-transition metal compound oxide, represented by the general formula $Li_xMn_{1-y}Al_yO_2$, has a crystalline structure as represented by the spatial group C2/m.

Claims 3-5 (Cancelled)